

FISCAL NOTE

TO: Chief Clerk of the Senate
Chief Clerk of the House

FROM: James A. Davenport, Executive Director

DATE: February 19, 1995

SUBJECT: **SB 843 - HB 877**

This bill, if enacted, will authorize the Commissioner of Environment and Conservation to assess a civil penalty (not to exceed \$500,000 per violation) against any municipality that attempts to collect or collects the storm water user fee in a manner not authorized by law. An aggrieved citizen is authorized to seek an injunction in chancery court to halt such illegal action and, if the citizen prevails, the citizen is entitled to reasonable attorney's fees.

The fiscal impact from enactment of this bill is estimated to be an increase in local government expenditures and a corresponding increase in state revenue to the Environmental Protection Fund if cities are assessed a civil penalty. A reasonable estimate of the increase cannot be determined but based on available data is estimated not to be significant.

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink, reading "James A. Davenport". The signature is written in a cursive style with a large, stylized initial "J".

James A. Davenport, Executive Director